IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Norfolk Division

KBA-GIORI, NORTH AMERICA, INC.,)
Plaintiff,))) Civil No. 2:08-cv-34-HCM-FBS
v.)
MUHLBAUER, INC., et al.,)
Defendants.)

PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE TESTIMONY BY MARIO DE GASPERI

Plaintiff KBA-Giori, North America, Inc. ("KBA"), by counsel, hereby moves in limine to exclude any testimony by Mario De Gasperi on the grounds that defendants Muhlbauer, Inc. and TEMA GmbH ("Muhlbauer") did not timely disclose him and his testimony is irrelevant or cumulative and prejudicial as set forth in KBA's brief in support filed herewith.

Respectfully submitted,

Dated: September 29, 2009 By: ____/s/ Jason E. Manning

Jeffrey H. Gray, Esq. (VSB No. 22304) Jason E. Manning, Esq. (VSB No. 74306)

TROUTMAN SANDERS LLP

222 Central Park Avenue, Suite 2000 Virginia Beach, Virginia 23462

Telephone: (757) 687-7500 Facsimile: (757) 687-7510

E-mail: <u>jason.manning@troutmansanders.com</u> E-mail: <u>Jeffrey.gray@troutmansanders.com</u> Jeffrey M. Olson, Esq. (admitted *pro hac vice*)
Paul H. Meier, Esq. (admitted *pro hac vice*)
Samuel N. Tiu, Esq. (admitted *pro hac vice*)
Matthew S. Jorgenson, Esq. (admitted *pro hac vice*)
SIDLEY AUSTIN LLP
555 West Fifth Street, Suite 4000
Los Angeles, California 90013
(213) 896-6000

Daniel E. Gustafson, Esq. (admitted *pro hac vice*) GUSTAFSON GLUEK PLLC 650 Northstar East 608 Second Avenue South Minneapolis, Minnesota 55402 (612) 333-8844

Attorneys for Plaintiff KBA-GIORI, NORTH AMERICA, INC.

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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of September, 2009, I will electronically file the

foregoing PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE TESTIMONY BY MARIO

DE GASPERI with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Counsel for Defendant Muhlbauer, Inc. and TEMA GmbH

Michael R. Katchmark, Esq. (mkatchmark@wilsav.com)

WILLCOX & SAVAGE, P.C.

One Commercial Place, Suite 1800 Norfolk, Virginia 23510

Gary M. Ropski, Esq. (gropski@usebrinks.com)

Michael P. Chu, Esq. (mchu@usebrinks.com)

Mircea A. Tipescu, Esq. (mtipescu@usebrinks.com)

Christopher T. Sukhaphadhana, Esq. (csukhaphadhana@usebrinks.com)

Richard D. Watkins (rwatkins@usebrinks.com)

Richard E. Stanley, Jr. (rstanley@usebrinks.com)

BRINKS HOFER GILSON & LIONE

NBC Tower

455 North Cityfront Plaza Drive, Suite 3600 Chicago, Illinois 60611

JC Miller, Esq. (jc.miller@thompsonhine.com)

THOMPSON HINE LLP

1920 N Street NW, Suite 800 Washington, D.C. 20036

Counsel for United States of America

Gary Lee Hausken, Esq. (gary.hausken@usdoj.gov)
U. S. DEPARTMENT OF JUSTICE – Civil Division
Commercial Litigation Branch
Washington, DC 20530

Susan Lynn Watt, Esq. (susan.watt@usdoj.gov)
UNITED STATES ATTORNEY'S OFFICE
101 W. Main Street, Suite 8000
Norfolk, VA 23510

/s/ Jason E. Manning

Jason E. Manning, Esq. (VSB No. 74306) Counsel for Plaintiff TROUTMAN SANDERS LLP 222 Central Park Avenue, Suite 2000 Virginia Beach, Virginia 23462 Telephone: (757) 687-7564

Facsimile: (757) 687-1524

jason.manning@troutmansanders.com

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